

Pendleton School District 16R

Code: **JFCEA**
Adopted: 4/13/09
Readopted: 7/12/10
Orig. Code(s): JFCEA

Secret Societies/Gang Activity

The Board recognized that the presence of gangs and gang activities causes a substantial disruption of or material interference with district schools and district activities. As used in this policy “gang” means a group that identifies itself through the use of a name, unique appearance or language, including hand signs, the claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity. By this policy, the Board acts to prohibit existence of gangs and gang activities as follows:

No student on or about district property or any district activity:

1. Shall wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other things which are evidence of affiliation in a gang;
2. Shall commit any act or omission, or use any speech, either verbal or nonverbal (i.e., gestures, handshakes, etc.), showing membership or affiliation in a gang;
3. Shall use any speech or commit any act or omission in furtherance of the interests of any gang or gang activity, including, but not limited to:
 - a. Soliciting others for membership in any gangs;
 - b. Requesting any person to pay protection or otherwise intimidating or threatening any person;
 - c. Inciting other students to act with physical violence upon any other person.

END OF POLICY

Legal Reference(s):

[ORS 336.109](#)
[ORS 339.240 - 339.280](#)
[ORS 339.885](#)
[ORS 659.850](#)

[OAR 581-021-0050 to -0075](#)

Olesen v. Board of Educ. of Sch. Dist., 676 F. Supp. 820 (N.D. Ill. 1987).
Neuhaus v. Federico, 12 Or. App. 314 (1973).
Burkitt v. Sch. Dist. No. 1, 195 Or. 471 (1952).
Tinker v. Des Moines Community Sch. District, 393 U.S. 503 (1969).